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8			
10	UNITED STATE	S DISTRICT COURT	
11		RICT OF CALIFORNIA	
12	SAN FRANC	CISCO DIVISION	
13			
14	3taps, Inc.,	Case No. 18-cv-00855-EMC	
15	Plaintiff,	STIPULATION AND [PROPOSED]	
	,		
16	vs.	ORDER STAYING FÜRTHER PROCEEDINGS AND DEADLINES	
	,	ORDER STAYING FURTHER	
16	vs.	ORDER STAYING FURTHER PROCEEDINGS AND DEADLINES Judge: Hon. Edward M. Chen Action Filed: February 8, 2018	
16 17 18 19	vs. LinkedIn Corporation,	ORDER STAYING FÜRTHER PROCEEDINGS AND DEADLINES Judge: Hon. Edward M. Chen	
16 17 18 19 20	vs. LinkedIn Corporation,	ORDER STAYING FURTHER PROCEEDINGS AND DEADLINES Judge: Hon. Edward M. Chen Action Filed: February 8, 2018	
16 17 18 19 20 21	vs. LinkedIn Corporation,	ORDER STAYING FURTHER PROCEEDINGS AND DEADLINES Judge: Hon. Edward M. Chen Action Filed: February 8, 2018	
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16 17 18 19 20 21 22 23	vs. LinkedIn Corporation,	ORDER STAYING FURTHER PROCEEDINGS AND DEADLINES Judge: Hon. Edward M. Chen Action Filed: February 8, 2018	
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16 17 18 19 20 21 22 23	vs. LinkedIn Corporation,	ORDER STAYING FURTHER PROCEEDINGS AND DEADLINES Judge: Hon. Edward M. Chen Action Filed: February 8, 2018	
16 17 18 19 20 21 22 23 24 25	vs. LinkedIn Corporation,	ORDER STAYING FURTHER PROCEEDINGS AND DEADLINES Judge: Hon. Edward M. Chen Action Filed: February 8, 2018	
16 17 18 19 20 21 22 23 24 25 26	vs. LinkedIn Corporation,	ORDER STAYING FURTHER PROCEEDINGS AND DEADLINES Judge: Hon. Edward M. Chen Action Filed: February 8, 2018	

STIPULATION AND [PROPOSED] ORDER STAYING FURTHER PROCEEDINGS AND DEADLINES

18-cv-00855-EMC

STIPULATION AND [PROPOSED] ORDER

WHEREAS, Plaintiff 3taps, Inc. ("3taps") filed the complaint in the above-captioned
action (the "3taps Action") against Defendant LinkedIn Corporation ("LinkedIn") on February 8,
2018 ("Complaint," ECF No. 1);

WHEREAS, on February 14, 2018, 3taps moved to relate the 3taps Action to *hiQ Labs*, *Inc. v. LinkedIn Corp.*, No. 17-cv-03301-EMC (the "hiQ Action") (*see* ECF No. 97 in No. 17-cv-03301-EMC);

WHEREAS, on February 23, 2018, the 3taps Action was reassigned to this Court as related to the hiQ Action;

WHEREAS, an appeal in the hiQ Action is currently pending in the Court of Appeals for the Ninth Circuit, and the hiQ action is currently stayed pending that appeal (No. 17-16783, the "hiQ Appeal");

WHEREAS, the parties agree that a stay is in the interests of judicial efficiency and conserving the resources of this Court and the parties;

NOW, THEREFORE, FOR GOOD CAUSE, IT IS HEREBY STIPULATED AND AGREED:

- 1. All proceedings, all discovery, and all deadlines in the above-captioned case, including but not limited to LinkedIn's deadline to answer or otherwise respond to the Complaint, are hereby stayed pending the resolution of the hiQ Appeal (the "Stay");
- 2. The Stay is effective immediately and shall expire upon the Expiration Date, which is defined as either (a) the day after the Court of Appeals for the Ninth Circuit issues an opinion on the merits in the hiQ Appeal, or (b) if the hiQ Appeal is resolved in any way other than a way that results in the issuance of a mandate—such as settlement, withdrawal or dismissal—the day after the hiQ Appeal is dismissed from the Ninth Circuit's docket;
- 3. LinkedIn shall have 45 days from the Expiration Date to answer or otherwise respond to the Complaint;

1	4. If LinkedIn's first response to the Complaint is a motion to dismiss, 3taps		
2	shall have 30 days from the date that LinkedIn files such motion to file a brief in opposition to		
3	LinkedIn's motion, and LinkedIn shall have 14 days thereafter to file a brief in reply;		
4	5. Within 10 days of the Expiration Date, the parties shall inform the Court		
5	that the Ninth Circuit has issued an opinion regarding the hiQ Appeal and shall jointly request a		
6	case management conference;		
7	6. The case management conference set for March 29, 2018 is hereby vacated		
8	pending resolution of the hiQ Appeal;		
9	7. All parties reserve all rights and arguments, including the right to apply to		
10	the Court to extend any deadline recited herein.		
11			
12	DATED: March 6, 2018 THE LAW OFFICES OF THOMAS V. CHRISTOPHER		
13	CHRISTOTILE		
14			
15	By: <u>/s/Thomas V. Christopher</u> THOMAS V. CHRISTOPHER		
16	Attorneys for Plaintiff 3taps, Inc.		
17	Thiorneys you I tailway, Evaps, Inc.		
18	DATED: March 6, 2018 MUNGER, TOLLES & OLSON LLP		
19			
20			
21	By: /s/ Jonathan H. Blavin		
22	JONATHAN H. BLAVIN		
23	Attorneys for Defendant LinkedIn Corporation		
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N.D. Cal. Civil Local Rule 5-1 Attestation I, Jonathan H. Blavin, am the ECF user whose credentials were utilized in the electronic filing of this document. In accordance with N.D. Cal. Civil Local Rule 5-1, I hereby attest that Thomas V. Christopher concurred in the filing of this document. /s/ Jonathan H. Blavin Jonathan H. Blavin

PURSUANT TO STIPULATION, IT IS SO ORDERED. The CMC is reset from

The CMC is reset from 3/29/18 to 11/8/18 at 10:30 a.m. A joint cmc statement shall be filed by 11/1/18.

IT IS SO ORDERED brable Edward M. Chen

Judge Edward M. Chen

orable Edward M. Chen